

By: Faulstich

S.J.R. No. 17

SENATE

A JOINT RESOLUTION

1 proposing a constitutional amendment permitting the legislature to
2 include members of more than one department of state government in
3 the membership of an agency or committee.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article III of the Texas Constitution is amended
6 by adding Section 66 to read as follows:

7 *Insert FLOOR B.N. #1*
8 ~~Sec. 66. The legislature may include the speaker of the~~
9 ~~house of representatives in the membership of, or grant to the~~
10 ~~speaker the power to appoint a member of the house of~~
11 ~~representatives to an agency or committee that includes officers~~
12 ~~of the executive department of state government and performs~~
13 ~~executive functions.~~

14 SECTION 2. This constitutional amendment shall be submitted
15 to the voters at an election to be held November 3, 1987. The
16 ballot shall be printed to provide for voting for or against the
17 proposition: "The constitutional amendment permitting the
18 legislature to include the speaker of the house of representatives
19 or the speaker's appointee in the membership of an executive agency
or committee."

*replaced by
Conference Report*

*3/31/87
4/1/87 105/07
4/1/87 e*

1 By: Farabee S.J.R. No. 17
2 (In the Senate - Filed February 13, 1987; February 16, 1987,
3 read first time and referred to Committee on State Affairs;
4 March 31, 1987, reported favorably by the following vote: Yeas 7,
5 Nays 1; March 31, 1987, sent to printer.)

6 COMMITTEE VOTE

	Yea	Nay	PNV	Absent
7 Farabee	x			
8 Blake	x			
9 Barrientos	x			
10 Caperton				x
11 Edwards	x			
12 Harris				x
13 Henderson		x		
14 Leedom	x			
15 Lyon				x
16 McFarland				x
17 Parmer	x			
18 Sarpalius	x			
19 Washington				x

21 SENATE JOINT RESOLUTION

22 proposing a constitutional amendment permitting the legislature to
23 include members of more than one department of state government in
24 the membership of an agency or committee.

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27 by adding Section 66 to read as follows:

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29 house of representatives in the membership of or grant to the
30 speaker the power to appoint a member of the house of
31 representatives to an agency or committee that includes officers of
32 the executive department of state government and performs executive
33 functions.

34 SECTION 2. This constitutional amendment shall be submitted
35 to the voters at an election to be held November 3, 1987. The
36 ballot shall be printed to provide for voting for or against the
37 proposition: "The constitutional amendment permitting the
38 legislature to include the speaker of the house of representatives
39 or the speaker's appointee in the membership of an executive agency
40 or committee."

41 * * * * *

42 Austin, Texas
43 March 31, 1987

44 Hon. William P. Hobby
45 President of the Senate

46 Sir:

47 We, your Committee on State Affairs to which was referred S.J.R.
48 No. 17, have had the same under consideration, and I am instructed
49 to report it back to the Senate with the recommendation that it do
50 pass and be printed.

51 Farabee, Chairman

SENATE FAVORABLE COMMITTEE REPORT

Lt. Governor William P. Hobby
President of the Senate

3/31/87
(date)/(time)

Sir:

We, your Committee on STATE AFFAIRS to which was referred
SJR 17 by Farabee have on 3/30, 19 87, had the same
(measure) (sponsor) (hearing date)

under consideration and I am instructed to report it back with the recommendation (s) that it

☒ do pass and be printed

☐ do pass and be ordered not printed

☐ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

Senate Sponsor of House Measure _____

The measure was reported from Committee by the following vote:

	YEA	NAY	PNV	ABSENT
Farabee, Chairman	<input checked="" type="checkbox"/>			
Blake, Vice Chairman	<input checked="" type="checkbox"/>			
Barrientos	<input checked="" type="checkbox"/>			
Caperton				<input checked="" type="checkbox"/>
Edwards	<input checked="" type="checkbox"/>			
Harris				<input checked="" type="checkbox"/>
Henderson		<input checked="" type="checkbox"/>		
Leedom	<input checked="" type="checkbox"/>			
Lyon				<input checked="" type="checkbox"/>
McFarland				<input checked="" type="checkbox"/>
Parmer	<input checked="" type="checkbox"/>			
Sarpalius	<input checked="" type="checkbox"/>			
Washington				<input checked="" type="checkbox"/>
TOTAL VOTES	7	1		5

Shanna Igo
COMMITTEE CLERK

[Signature]
CHAIRMAN

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

February 18, 1987

TO: Honorable Ray Farabee, Chairman In Re: Senate Joint Resolution No. 17
Committee on State Affairs By: Farabee
Senate Chamber
Austin, Texas

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 17 (proposing a constitutional amendment permitting the legislature to include members of more than one department of state government in the membership of an agency or committee) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would allow the Legislature to include the Speaker of the House of Representatives or his appointee to an agency or committee that includes officers of the executive department of state government and perform executive functions.

The proposed amendment would be submitted to the voters on November 3, 1987.

The cost of publication of the resolution to the State is estimated to be \$45,000.

The fiscal implications to the State or units of local government can not be determined.

Source: Secretary of State;
LBB Staff: JO, HES, JWH, AL, MC

AMEND THE CAPTION TO CONFORM
TO THE BODY OF THE BILL

ADOPTED

APR 1 1987

Betty King
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: *Am. #1*

1 Amend S.J.R. No. 17 by striking Sec. 66 in its entirety and
2 substituting in lieu thereof the following:

3 Sec. 66. The legislature may include the speaker of the
4 house of representatives in the membership of an agency or
5 committee that includes officers of the executive department of
6 state government and performs executive functions.

ADOPTED

APR 1 1987

Butt King
Secretary of the Senate

*replaced by
Conference Report*

Am. #1

4/1/87 RS 9/1/87 c

April 1 1987 Engrossed
Patsy Saw
Engrossing Clerk

I certify that the attached is a true and correct
copy of S.J.R. 17 which was
received from the Senate on APR 2 1987 and
referred to the Committee on Financial Institutions
Bertie Mearns
Chief Clerk of the House

By: Farabee
(Gibson)

S.J.R. No. 17

SENATE JOINT RESOLUTION

proposing a constitutional amendment permitting the legislature to
include members of more than one department of state government in
the membership of an agency or committee.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III of the Texas Constitution is amended
by adding Section 66 to read as follows:

Sec. 66. The legislature may include the speaker of the
house of representatives in the membership of an agency or
committee that includes officers of the executive department of
state government and performs executive functions.

SECTION 2. This constitutional amendment shall be submitted
to the voters at an election to be held November 3, 1987. The
ballot shall be printed to provide for voting for or against the
proposition: "The constitutional amendment permitting the
legislature to include the speaker of the house of representatives
or the speaker's appointee in the membership of an executive agency
or committee."

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

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Committee on State Affairs By: Farabee
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The proposed amendment would be submitted to the voters on November 3, 1987.

The cost of publication of the resolution to the State is estimated to be \$45,000.

The fiscal implications to the State or units of local government can not be determined.

Source: Secretary of State;
LBB Staff: JO, HES, JWH, AL, MC

HOUSE COMMITTEE REPORT

1987 MAY -3 PM 1 00

HOUSE OF REPRESENTATIVES

1st Printing

By: Farabee
(Gibson)

S.J.R. No. 17

SENATE JOINT RESOLUTION

proposing a constitutional amendment permitting the legislature to include members of more than one department of state government in the membership of an agency or committee.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III of the Texas Constitution is amended by adding Section 66 to read as follows:

Sec. 66. The legislature may include the speaker of the house of representatives in the membership of an agency or committee that includes officers of the executive department of state government and performs executive functions.

SECTION 2. This constitutional amendment shall be submitted to the voters at an election to be held November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment permitting the legislature to include the speaker of the house of representatives or the speaker's appointee in the membership of an executive agency or committee."

COMMITTEE REPORT

The Honorable Gib Lewis
Speaker of the House of Representatives

April 29, 1987
(date)

Sir:

We, your COMMITTEE ON FINANCIAL INSTITUTIONS,

to whom was referred SJR 17 (measure) have had the same under consideration and beg to report back with the recommendation that it

- ☒ do pass, without amendment.
- ☐ do pass, with amendment(s).
- ☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. ☒ yes ☐ no An actuarial analysis was requested. ☐ yes ☒ no

An author's fiscal statement was requested. ☐ yes ☒ no

~~The Committee recommends that this measure be placed on the (Local) or (Consent) Calendar.~~

This measure ☒ proposes new law. ☒ amends existing law.

House Sponsor of Senate Measure Gibson

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Gibson, Ch.	<input checked="" type="checkbox"/>			
Price, V.C.				<input checked="" type="checkbox"/>
Denton, C.B.O.	<input checked="" type="checkbox"/>			
Berlanga				<input checked="" type="checkbox"/>
Larry	<input checked="" type="checkbox"/>			
Lucio				<input checked="" type="checkbox"/>
Marchant	<input checked="" type="checkbox"/>			
Robnett	<input checked="" type="checkbox"/>			
Wallace				<input checked="" type="checkbox"/>

Total
5 aye
0 nay
0 present, not voting
4 absent

Bruce Gibson
CHAIRMAN
1 James Wallace
COMMITTEE COORDINATOR

S.J.R. 17
By: Farabee

Committee on Financial Institutions

BILL ANALYSIS

Background Information.

Current Texas law does not address the inclusion of members of more than one department of state government in the membership of an executive agency or committee.

Purpose.

S.J.R. 17 allows the legislature to include the speaker of the house of representatives or his appointee in the membership of an executive agency or committee.

Section-by-Section Analysis.

Section 1: Amends Article III, Texas Constitution, to add Section 66 allowing the legislature to include the speaker of the house of representatives in the membership of an agency or committee that includes executive officers of the state government and performs executive functions.

Section 2: Provides that the constitutional amendment be submitted to the voters at an election on November 3, 1987.

Rulemaking Authority.

It is the Committee's opinion that this Bill does not delegate rulemaking authority to a state officer, agency, department or institution.

Summary of Committee Action.

Public notice was posted in accordance with Rule 4, Section 12, Rules of Procedure of the House of Representatives, and a public hearing was held on April 29, 1987. During that public hearing, Paul J. Williams, representing the state Treasury Department, testified as a resource witness on S.J.R. 17. There were no witnesses who testified either for or against S.J.R. 17. During that same hearing, the Financial Institutions Committee voted to report favorably S.J.R. 17 and recommended that it do pass. The motion to report favorably S.J.R. 17 was passed by a vote of 5 Ayes, 0 Nays, 0 PNV.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 10, 1987

TO: Honorable Bruce Gibson, Chair In Re: Senate Joint Resolution No. 17,
Committee on Financial Institutions as engrossed
House of Representatives By: Farabee
Austin, Texas

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 17, as engrossed (proposing a constitutional amendment permitting the legislature to include members of more than one department of state government in the membership of an agency or committee) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would allow the Legislature to include the Speaker of the House of Representatives or his appointee to an agency or committee that includes officers of the executive department of state government and perform executive functions.

The proposed amendment would be submitted to the voters on November 3, 1987.

The cost of publication of the resolution to the State is estimated to be \$45,000.

The fiscal implications to the State or units of local government can not be determined.

Source: Secretary of State;
LBB Staff: JO, HES, JWH, AL, AF

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

February 18, 1987

TO: Honorable Ray Farabee, Chairman In Re: Senate Joint Resolution No. 17
Committee on State Affairs By: Farabee
Senate Chamber
Austin, Texas

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 17 (proposing a constitutional amendment permitting the legislature to include members of more than one department of state government in the membership of an agency or committee) this office has determined the following:

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The fiscal implications to the State or units of local government can not be determined.

Source: Secretary of State;
LBB Staff: JO, HES, JWH, AL, MC

AMENDMENT NO. ①

BY W. H. M. 12

Amend S.J.R. 17 by striking all below the resolving clause and substituting the following:

SECTION 1. Article III of the Texas Constitution is amended by adding Section 66 to read as follows:

Sec. 66. The legislature may include the speaker of the house of representatives in the membership of, or grant to the speaker or the lieutenant governor the power to appoint a member of the legislature to, an agency or committee that includes elected officers of the executive department of state government and performs executive functions.

SECTION 2. This constitutional amendment shall be submitted to the voters at an election to be held November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment permitting legislative officers to serve on executive committees that include elected state officials."

ADOPTED

MAY 14 1987

Dusty Murray
Chief Clerk
House of Representatives

CONFERENCE COMMITTEE REPORT FORM

2466

Austin, Texas

May 30, 1987


Date

Honorable William P. Hobby
President of the Senate

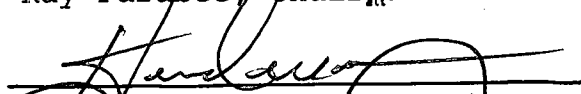
Honorable Gibson D. "Gib" Lewis
Speaker of the House of Representatives

Sir:

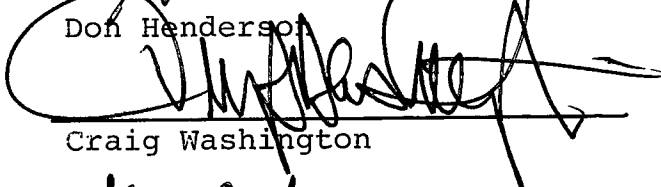
We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SJR 17 have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.



Ray Farabee, Chairman



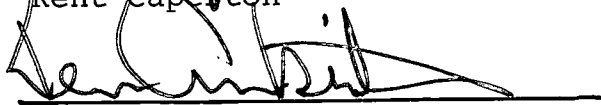
Don Henderson



Craig Washington



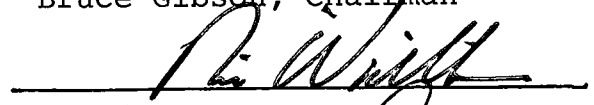
Kent Caperton



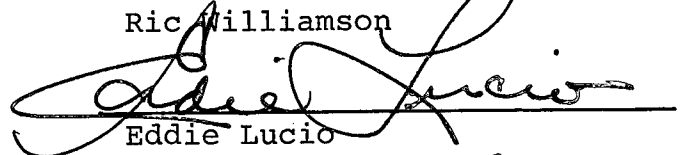
Ken Armbrister
On the part of the Senate



Bruce Gibson, Chairman



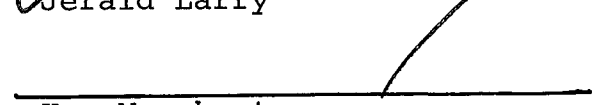
Ric Williamson



Eddie Lucio



Gerald Larry



Ken Marchant
On the part of the House

ADOPTED

29 years 0 days
MAY 31 1987

Paper clip one of these forms to each of the following:
the original and two copies to the house of origin
three copies to the other house


Secretary of the Senate

MAY 30 1987 6:35 PM
Read and filed with Sec of Senate

CONFERENCE COMMITTEE REPORT

By: Farabee
(Gibson)

S.J.R. No. 17

SENATE JOINT RESOLUTION

proposing a constitutional amendment permitting the legislature to include members of more than one department of state government in the membership of an agency or committee.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III of the Texas Constitution is amended by adding Section 66 to read as follows:

Sec. 66. The legislature may include the speaker of the house of representatives in the membership of an agency or committee that includes officers of the executive department of state government and performs executive functions.

SECTION 2. This constitutional amendment shall be submitted to the voters at an election to be held November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment permitting the legislature to include the speaker of the house of representatives or the speaker's appointee in the membership of an executive agency or committee."

A SIDE-BY-SIDE ANALYSIS OF

SJR 17

SENATE	HOUSE	CONFERENCE
SECTION 1. Amends Article III of the Texas Constitution by adding Section 66 as follows: "The legislature may include the speaker of the house of representatives in the membership of an agency or committee that includes officers of the executive department of state government and performs executive functions."	ADDS: "or grant to the speaker or the lieutenant governor the power to <u>appoint a member of the legislature</u> to an agency or committee that includes <u>elected</u> officers of the executive department of state government and performs executive functions."	SENATE
SECTION 2. Establishes the date of the election as November 3, 1987.	SAME	SAME

CONFERENCE COMMITTEE REPORT FORM

Dove

Austin, Texas

May 30, 1987

Date

Honorable William P. Hobby
President of the Senate

Honorable Gibson D. "Gib" Lewis
Speaker of the House of Representatives

Sir:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SJR 17 have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Ray Farabee
Ray Farabee, Chairman

Don Henderson
Don Henderson

Craig Washington
Craig Washington

Kent Caperton
Kent Caperton

Ken Armbrister
Ken Armbrister
On the part of the Senate

Bruce Gibson
Bruce Gibson, Chairman

Ric Williamson
Ric Williamson

Eddie Lucio
Eddie Lucio

Gerald Larry
Gerald Larry

Ken Marchant
Ken Marchant
On the part of the House

Paper clip one of these forms to each of the following:
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three copies to the other house

ADOPTED

JUN 1 1987

Betty Murray
Chief Clerk
House of Representatives

by record vote

144 yeas 0 nays

12/25

CONFERENCE COMMITTEE REPORT

3rd Printing

S.J.R. No. 17

A JOINT RESOLUTION

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SECTION 2. Establishes the date of the election as November 3, 1987.	SAME	SAME

CONFERENCE COMMITTEE REPORT FORM

May 30, 1987

Austin, Texas

Date

HOUSE OF REPRESENTATIVES

1987 MAY 31 PM 6:00

Honorable William P. Hobby
President of the Senate

Honorable Gibson D. "Gib" Lewis
Speaker of the House of Representatives

Sir:


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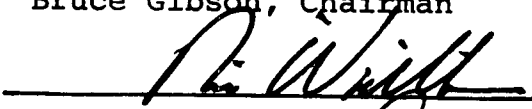

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Craig Washington



Kent Caperton


Ken Armbrister
On the part of the Senate


Bruce Gibson, Chairman


Ric Williamson


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CONFERENCE COMMITTEE REPORT

3rd Printing

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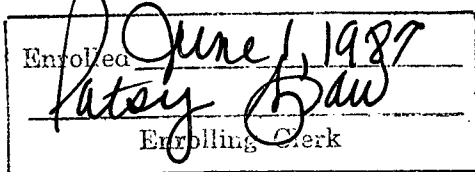
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59c



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b6h
p2

S.J.R. No. 17

President of the Senate

Speaker of the House

I hereby certify that S.J.R. No. 17 was adopted by the Senate on April 1, 1987, by the following vote: Yeas 29, Nays 2; May 15, 1987, Senate refused to concur in House amendment and requested appointment of Conference Committee; May 21, 1987, House granted request of the Senate; May 31, 1987, Senate adopted Conference Committee Report by the following vote: Yeas 29, Nays 0.

Secretary of the Senate

I hereby certify that S.J.R. No. 17 was adopted by the House, with amendment, on May 14, 1987, by the following vote: Yeas 140, Nays 1, one present not voting; May 21, 1987, House granted request of the Senate for appointment of Conference Committee; June 1, 1987, House adopted Conference Committee Report by the following vote: Yeas 144, Nays 0, one present not voting.

Chief Clerk of the House

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 10, 1987

TO: Honorable Bruce Gibson, Chair In Re: Senate Joint Resolution No. 17,
Committee on Financial Institutions as engrossed
House of Representatives By: Farabee
Austin, Texas

FROM: Jim Oliver, Director

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The proposed amendment would be submitted to the voters on November 3, 1987.

The cost of publication of the resolution to the State is estimated to be \$45,000.

The fiscal implications to the State or units of local government can not be determined.

Source: Secretary of State;
LBB Staff: JO, HES, JWH, AL, AF

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

February 18, 1987

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Committee on State Affairs By: Farabee
Senate Chamber
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Source: Secretary of State;
LBB Staff: JO, HES, JWH, AL, MC

X; CT3a;

J.R.
S.B. No. 17 (1)
6

President of the Senate Speaker of the House

I hereby certify that S.B. No. 17 (1) ^{J.R.} *was adopted by* passed the Senate on April 1 (2), 1987, by the following vote: Yeas 29 (3), Nays 2 (4); May 15 (5), 1987, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 21 (6), 1987, House granted request of the Senate; May 31 (7), 1987, Senate adopted Conference Committee Report by the following vote: Yeas 29 (8), Nays 6 (9).

X; CT3b;

Secretary of the Senate

I hereby certify that S.B. No. 17 (1) ^{J.R.} *was adopted by* passed the House, with amendments, on May 14 (2), 1987, by the following vote: Yeas 140 (3), Nays 1 (4); May 21 (5), 1987, House granted request of the Senate for appointment of Conference Committee; June 1 (6), 1987, House adopted Conference Committee Report by the following vote: Yeas 144 (7), Nays 0 (8), *one present not voting.*

Chief Clerk of the House

Approved:

Date

Governor

2

S. J. R. No. _____

By _____

SENATE JOINT RESOLUTION

proposing a constitutional amendment permitting the legislature to include members of more than one department of state government in the membership of an agency or committee.

2-13-87

Filed with the Secretary of the Senate

FEB 16 1987Read and referred to Committee on STATE AFFAIRSMAR 31 1987

Reported favorably _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

APR 1 1987

Senate and Constitutional Rules to permit consideration suspended by:

unanimous consent

____ years, ____ nays

APR 1 1987Read second time, amended, and ordered engrossed by:unanimous consenta viva voce vote

____ years, ____ nays

APR 1 1987

Caption ordered amended to conform to the body of the bill.

APR 1 1987Senate and Constitutional 3 Day Rule suspended by a vote of 29 yeas, 2 nays.APR 1 1987Read third time, _____, and passed by 29 yeas, 2 nays.

Betty King
SECRETARY OF THE SENATE

OTHER ACTION:

MAY 13 1987

Motion to postpone further consideration
of SJR No. 17 until Thurs.
May 14 at 9:00 a.m.
prevailed by a non-record vote.

April 1, 1987

Engrossed

APR 2 1987

Sent to House

APR 2 1987

Received from the Senate

APR 8 1987Read first time and referred to Committee on State Affairs4-29-87Reported favorably amended, sent to Printer4:00 p.m.5-3-87Printed and Distributed 1:00 pm5-4-87

Sent to Committee on Calendars

2:41 pmMAY 14 1987Read second time (amended) and finally adoptedfailed adoption by Record Vote of 140 yeas, 1 nays, 1 present not voting.

Read third time (amended) and finally adopted

failed adoption by a Record Vote of _____ yeas, _____ nays, _____ present not voting.

MAY 14 1987

Caption ordered amended to conform to body of resolution

MAY 14 1987

Returned to Senate.

Betty Murray
CHIEF CLERK OF THE HOUSE

Returned from House without amendment.

MAY 14 1987

Returned from House with _____ amendments.

Concurred in House amendments by a viva voce vote _____ yeas, _____ nays.

MAY 15 1987

Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

Senate conferees instructed.

MAY 15 1987

Senate conferees appointed: Farabee, Chairman; Henderson, Caperston, Washington, and Armbrist

5/21

House granted Senate request. House conferees appointed: Dibson, Chairman;

51

Williamson, Lucio, Larry, Marchant.

Conference Committee Report read and filed with the Secretary of the Senate.

JUN 1 1987

Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote

{ 144 yeas, 0 nays 1 PN

MAY 31 1987

Conference Committee Report adopted on the part of the Senate by: _____

{ a viva voce vote

{ 29 yeas, 0 nays

OTHER ACTION:

Recommitted to Conference Committee

Conferees discharged

Conference Committee Report failed of adoption by: _____

{ a viva voce vote

{ _____ yeas, _____ nays

1987 MAY -3 PM 4:00

HOUSE OF REPRESENTATIVES